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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/823,119	03/30/2001	June Kaplow	P23,461-A USA	9257

7590

07/19/2004

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EXAMINER

EPPS FORD, JANET L

ART UNIT

PAPER NUMBER

1635

DATE MAILED: 07/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

***Response to Amendment***

1. The reply filed on 4-21-04 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants have provided a Declaration under 37 CFR § 1.131, however the Declaration is not properly executed. As per 37 CFR § 1.131: "When any claim of an application or a patent under reexamination is rejected, the inventor of the subject matter of the rejected claim, the owner of the patent under reexamination, or the party qualified under §§ 1.42, 1.43, or 1.47, may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based." In the instant case, only June Kaplow executed the declaration submitted under 37 CFR § 1.131, however it is clear that June Kaplow is not the sole inventor of the instant application which also lists Thomas Haws, Marie Rosier, and Patrice Deneffe as co-inventors. According to 37 CFR § 1.131, "the inventor of the subject matter" may submit an appropriate oath or declaration to establish invention of the subject matter rejected. In order for Applicant's declaration to be complete, all of the inventors of the claimed subject matter must sign the declaration submitted under 37 CFR § 1.131.

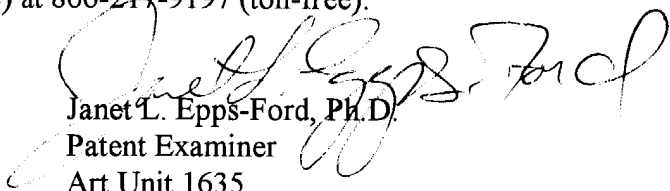
2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Janet L. Epps-Ford, Ph.D. whose telephone number is 571-272-0757. The examiner can normally be reached on Monday-Saturday, Flex Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John L. LeGuyader can be reached on 571-272-0760. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Janet L. Epps-Ford, Ph.D.  
Patent Examiner  
Art Unit 1635

JLE